

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 107

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Pauline J. Ponce

AN ACT

RELATING TO SPECIAL EDUCATION; EXEMPTING THE NEW MEXICO
MILITARY INSTITUTE FROM RULES AND STANDARDS OF THE PUBLIC
EDUCATION DEPARTMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-13-5 NMSA 1978 (being Laws 1972,
Chapter 95, Section 1, as amended) is amended to read:

"22-13-5. SPECIAL EDUCATION. -- School districts shall
provide special education and related services appropriate to
meet the needs of all children requiring special education and
related services. [~~Regulations~~] Rules and standards shall be
developed and established by the [~~state board~~] department for
the provision of special education in the schools and classes
of the public school system in the state and in all
institutions wholly or partly supported by the state except the

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 New Mexico military institute. The [~~state-board~~] department
2 shall monitor and enforce the [~~regulations~~] rules and
3 standards. School districts shall also provide services for
4 three-year-old and four-year-old preschool children with
5 disabilities, unless the parent or guardian chooses not to
6 enroll his child. If a child receiving services in the
7 department of health's family, infant, toddler program has his
8 third birthday during the school year, the child's parents
9 shall have the option of having the child complete the school
10 year in the family, infant, toddler program or enrolling the
11 child in the public school's preschool program. A child with a
12 disability who enrolls in the public school's preschool program
13 and who has his third birthday during a school year may receive
14 special education and related services from the beginning of
15 that school year. Services for students age three through
16 twenty-one may include, but are not limited to, evaluating
17 particular needs, providing learning experiences that develop
18 cognitive and social skills, arranging for or providing related
19 services as defined by the [~~state-board~~] department and
20 providing parent education. The services may be provided by
21 [~~certified school personnel~~] licensed school employees or
22 contracted for with other community agencies and shall be
23 provided in age-appropriate, integrated settings, including
24 home, daycare centers, head start programs, schools or
25 community-based settings. "

. 149324. 1